

JAN 25 2006

S.B. NO. 2489

A BILL FOR AN ACT

RELATING TO FORFEITURE OF PROPERTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 712A-4, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§712A-4 Covered offenses.** Offenses for which property is
4 subject to forfeiture under this chapter are:

5 (a) All offenses which specifically authorize forfeiture;

6 (b) Murder, kidnapping, gambling, criminal property
7 damage, robbery, bribery, extortion, theft,
8 unauthorized entry into motor vehicle, burglary, money
9 laundering, trademark counterfeiting, insurance fraud,
10 promoting a dangerous, harmful, or detrimental drug,
11 commercial promotion of marijuana, unlawful
12 methamphetamine trafficking, manufacturing of a
13 controlled substance with a child present, promoting
14 child abuse, or electronic enticement of a child which
15 is chargeable as a felony offense under state law;

16 (c) The manufacture, sale, or distribution of a controlled
17 substance in violation of chapter 329, promoting
18 detrimental drugs or intoxicating compounds, promoting



1 pornography, promoting pornography for minors, or
 2 promoting prostitution, which is chargeable as a
 3 felony or misdemeanor offense, but not as a petty
 4 misdemeanor, under state law; and

5 (d) The attempt, conspiracy, solicitation, coercion, or
 6 intimidation of another to commit any offense for
 7 which property is subject to forfeiture."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act does not affect rights and duties that
 10 matured, penalties that were incurred, and proceedings that were
 11 begun, before its effective date.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: Bruce S. Kohl

Report Title:
Forfeiture of Property

SB. NO. 2489

Description:

Amends the penal code section on property forfeiture. Adds additional covered offenses that are subject to forfeiture.

